

CONFIDENTIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Moore, *et al.*

Confirmation No.: 1774

Serial No.: 09/923,506

Group: 2645

Examiner: Elahee, Md S.

Date Filed: August 6, 2001

Docket No.:

IBM Docket No.: BOC9-2001-0006 (241)

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Barry E. Willner, a citizen of the United States of America, residing at 365 Pine Road, Briarcliff Manor, NY 10510, hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0003 together with my co-inventors, Victor S. Moore, and Edith H. Stern.

4. IBM Confidential Invention Disclosure BOC8-2000-0003 was originally submitted for consideration to an IBM Attorney / Patent Professional for preparation of a patent application on January 18, 2000. The content of the disclosure has not been subsequently modified. The disclosure represents a fully conceived and workable invention as written. I reviewed the claims of the above-mentioned patent application prior to submission of the

Best Available Copy

Declaration Under 37 C.F.R. §1.131
U.S. Patent Appln. No. 09/923,506
Docket No. BOC9-2001-0006 (241)

application to assure the claimed invention was fully supported by the disclosure in light of the invention disclosure and art known at the time of the disclosure.

5. I diligently worked with outside counsel in the Spring of 2001 to prepare and file the above-mentioned patent application.

6. I make this Declaration to establish that my co-inventors and I conceived of the present invention at least as early as January 18, 2000, and exercised due diligence from prior to January 18, 2000 through August 6, 2001, the filing date for the above-identified patent application.

7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.

Barry E. Willner
Barry E. Willner

Date: 9/21/04

STATE OF New York)
COUNTY OF Westchester) ss:

The foregoing instrument was sworn to and subscribed before me this 21st day of September, 2004, by BARRY E. WILLNER, who is personally known to me or who has produced IBM Photo Badge (type of identification) as identification.

LORRAINE B. DANAS
NOTARY PUBLIC, State Of New York
No. 01DA6025767
Qualified In Westchester County
Commission Expires June 01, 2007

Lorraine B. Danas
NOTARY PUBLIC, STATE OF New York
(Print, Type or Stamp Commissioned Name of Notary Public)



CONFIDENTIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 1774

In re Application of Moore, et al.
Serial No.: 09/923,506
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DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Edith H. Stern, a citizen of the United States of America, residing at 661 Hanover Street, Yorktown Heights, NY 10598 hereby declare and state as follows:

1. I was employed by International Business Machines Corporation (IBM) in Armonk, New York at the time the above-identified application was conceived. I make this declaration in support the above-identified application.

2. IBM had invested substantial time and effort into the research, development, and marketing of their products, and in an effort to protect its rights in all new inventions, IBM requests that all employees prepare and submit confidential Invention Disclosure Forms upon conception by the inventor(s).

3. As a named co-inventor for this invention, I submitted the attached Invention Disclosure No. BOC8-2000-0003 together with my co-inventors, Victor S. Moore, and Barry E. Willner.

4. IBM Confidential Invention Disclosure BOC8-2000-0003 was originally submitted for consideration to an IBM Attorney / Patent Professional for preparation of a patent application on January 18, 2000. The content of the disclosure has not been subsequently modified. The disclosure represents a fully conceived and workable invention as written. I reviewed the claims of the above-mentioned patent application prior to submission of the

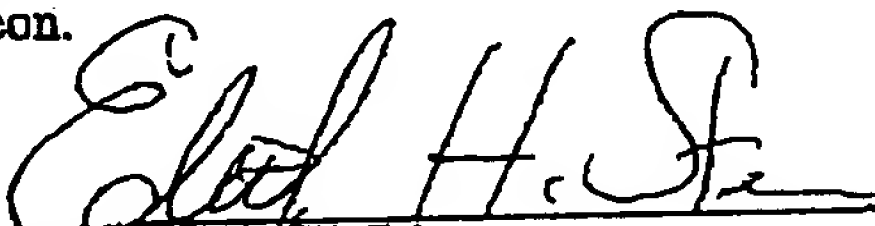
Declaration Under 37 C.F.R. §1.131
 U.S. Patent Appl. No. 09/923,506
 Docket No. BOC9-2001-0006 (241)

application to assure the claimed invention was fully supported by the disclosure in light of the invention disclosure and art known at the time of the disclosure.

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6. I make this Declaration to establish that my co-inventors and I conceived of the present invention at least as early as January 18, 2000, and exercised due diligence from prior to January 18, 2000 through August 6, 2001, the filing date for the above-identified patent application.


7. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above-identified patent application or any patent issuing thereon.


 Edith H. Stern

Date: 9/24/04

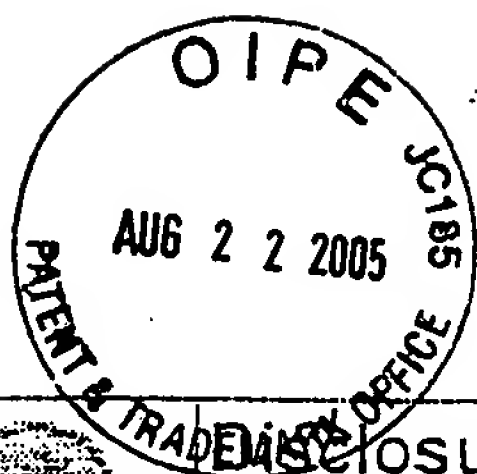
STATE OF NEW YORK)
) ss:
 COUNTY OF _____)

The foregoing instrument was sworn to and subscribed before me this 24th day of September, 2004, by EDITH H. STERN, who is personally known to me or who has produced _____ (type of identification) as identification.


 NOTARY PUBLIC, STATE OF NEW YORK

(Print, Type or Stamp Commissioned Name of Notary Public)

Robin Louise Moro
 Notary Public, State of NY
 No. 01D6046019
 County of Westchester
 Commission Expires July 17, 2008



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	Disclosure BOC8-2000-0003	
	Created By: Edie Stern Created On: 01/06/2000 10:38:39 PM	
	Last Modified By: Edie Stern Last Modified On: 01/26/2000 04:57:07 PM	
	--- IBM Confidential ---	

Required fields are marked with the asterisk (*) and must be filled in to complete the form.

Summary

Status	Under Evaluation
Processing Location	BOC
Functional Area	Telecommunications & Media
Attorney/Patent Professional	Richard Tomlin/Boca Raton/IBM
IDT Team	Edie Stern/Fort Lauderdale/IBM
Submitted Date	01/18/2000 06:28:18 PM
Owning Division	GI Add/Change
PVT Score	To calculate a PVT score, use the 'Calculate PVT' button.
Incentive Program	
Lab	
Technology Code	

Inventors with Lotus Notes IDs

Inventors: Edie Stern/Fort Lauderdale/IBM, Vic Moore/Fort Lauderdale/IBM, Barry Willner/Watson/IBM

Inventor Name > denotes primary contact	Inventor Serial	Div/Dept	Manager Serial	Manager Name
> Stern, Edith H.	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Moore, Victor S.	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Willner, Barry E.	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Inventors without Lotus Notes IDs

IDT Selection

IDT Team: Edie Stern/Fort Lauderdale/IBM	Attorney/Patent Professional: Richard Tomlin/Boca Raton/IBM
---	--

Response Due to IP&L : 02/25/2000

Main Idea

Title of disclosure (in English)

Multi tier ASP/Software Delivery for Wireless Devices

Idea of disclosure

1. Describe your invention, stating the problem solved (if appropriate), and indicating the advantages of using the invention.

The internet and internet access are experiencing phenomenal growth with more and more people taking advantage through personal computers, and more recently, network computers. This growth is about to take a giant leap forward with the explosion of pervasive devices capable of wireless data communication, including communication to the internet.

Sprint has announced and is selling web phone service in the US (Sprint PCS Wireless Web, <http://www.sprintpcs.com/wireless/index.html>), and Nokia is selling their Nokia 9110 Communicator in Europe today (<http://www.nokia.com/phones/9110/index.html>).

For traditional PCs, traditional applications are available as shrink-wrapped client applications. Many businesses are investing in web based applications, for CRM and other business to consumer needs. Recently, Application Service Providers (ASPs) have arisen to provide a new service over the internet. ASPs provide not just content, but applications to their subscribers. ASPs include Corio (<http://www.corio.com>), iProvide (<http://www.i-provider.net/iprovide/asp.html>), TriZetto Group (specializing in the healthcare industry, at <http://www.trizetto.com>).

ASPs can significantly decrease the resource required to manage application sets on the desktop. To date, ASPs require a fair amount of bandwidth connectivity to their subscribers, and a short latency period to allow subscribers to receive adequate response time on these applications. ASPs have not provided wireless support for wireless pervasive devices, as these have lesser connectivity capabilities and system resources.

Our invention provides a system and method of providing applications for wireless devices, via a two tier service, taking advantage of both wireline capabilities and shortrange wireless capabilities. Our invention uses geographically based service discovery techniques to allow wireless devices to identify local ASP points of presence (microASPs), seek desired applications, and should the microASP not contain the desired application, allow for the microASP to obtain the application via landline connections. This enables near real time use of new applications for a wide variety of wireless devices, with minimal capabilities both in system resource and in bandwidth connectivity. It also enables a new business model, of local microASP service for what is expected to be an extraordinarily large population of pervasive devices, which will number in the tens and hundreds of millions.

2. How does the invention solve the problem or achieve an advantage, (a description of "the invention", including figures inline as appropriate)?

Pervasive devices today are converging from two bases.

Cellular telephones are increasingly intelligent, with devices such as the Benefon Personal Navigation Phone (<http://www.benefon.com/>) providing GPS based mapping and location services, and devices such as the Nokia 9110 providing fax, internet e-mail, notepad and calendar functions. These applications are in addition to standard cellular service.

PDAs, notably 3COMs Palm Pilot, with or without wireless data communication capability are also increasingly popular. Applications for expense accounts, notes, todo lists, and so on are standard, with content and software readily available for download from the web. In general these devices are tethered for download, receiving their information while docked in a cradle connected with a wired connection to a PC. However, 3COM and Nokia have leagued together, promising increasing convergence in these two worlds.

A new kind of wireless connection is about to burst on the market. Emerging standards for personal area networks (eg Bluetooth <http://www.bluetooth.com/v2/default.asp>) have a different communications profile than cellular. Such networks operate over a very limited local range. Bluetooth communications works in picocells, with a maximum range of up to 100 meters. This invention is not limited to Bluetooth, but any type of wireless communications enabling handheld devices to communicate directly to the microASPs.

Pervasive computing also boasts service discovery protocols such as that proposed by the Salutation Consortium (<http://www.salutation.org>) where devices with PAN communications capability will automatically be aware of services and connectivity available in the area. Bluetooth devices using such protocols are aware of new devices and their capabilities as they enter the communications cell. Additionally, these radios require little power, so it is anticipated that they can be essentially open for connection for long periods of time ("always-on"). Bluetooth is expected to provide services such as communication between distributed system components, such as wireless data modems supplied as part of a cell phone and laptops, presumably still in the briefcase. Bluetooth is also expected to provide connectivity to physically local printers and other I/O devices.

Our invention is a system, method and business model which provides ASP services, mobilely for wireless devices.

In a preferred embodiment, wireless devices equipped with communications such as Bluetooth seek local microASPs via normal Bluetooth communications. Once communications has been established, the desired application support is sought from a communicating microASP. If there is no microASP within range, an indicator so informs the user. If there is an microASP, the wireless device establishes that the user is a subscriber to the service, or alternately establishes a method of payment (micropayments, credit cards, etc.) and requests connectivity to the desired application. If the microASP does not have the application, it retrieves it from a central ASP repository along with any required user data. The microASP then services the wireless device, wirelessly, within the short range allowed by the communications method. This reduces significantly the latency encountered, and reduces the use of WAN service. By using short range microASPs, it is possible to target the applications for the geography, eg applications desired by travelers in airports or train stations. Such microASPs may also function as local caches for internet content.

Use of microASPs allows casual use of applications by wireless devices, and can involve either downloading complete applications (eg a crossword puzzle game) for carry away use, or can involve traditional ASP hosting of complex applications (eg business applications).

It is expected that such microASPs will be available in areas of public traffic, such as airports and shopping malls. One business model is that enterprises with existing small-footprint real estate will use their space to incorporate microASPs. A preferred embodiment would have carriers operating payphones adding this capability to the payphone installation. Payphones are already "wired" endpoints. Users would approach the payphone, already well marked and obvious, to use the services of the microASP. In fact, with cellular use increasing and payphone use decreasing, this may be an excellent use of this infrastructure. In areas of dense traffic, and presumably increased

use of such services, scaling is accomplished by adding more microASPs.

Services accessed via a microASP can allow wireless devices to treat the microASP as an application cache. That is, a wireless device may have user selectability of a number of applications (eg productivity, games, all the applications available on a traditional desktop). The device presumably would not have these in active storage, and should the application be selected, the user would receive a message that the application must be obtained from an ASP. That is, the device may attempt to retrieve the application or application data from its own storage, and failing to find it, may access wireless the closest microASP. The microASP can then either download the application, provide it as a traditional ASP, or if it does not have current access to the application, the microASP can use its wired connection to obtain it. In travelled areas such as an airport, this can result in a wireless device with virtual access to a vast number of device-appropriate applications and content.

Alternatively, devices could access an ASP cellularly, with the resultant more narrow bandwidth. In this case, selecting a local microASP provides some measure of latency relief, but far less than arrangements which do not require WAN resources.

To make clear the heart of the invention the main system claim might read -

A system for providing application and content services to a plurality of wirelessly connected recipients comprising

- a plurality of data processing systems with
 - wireless capability to communicate with said recipients' systems
 - a store for storing applications and content
 - a data processor for executing applications and servicing user requests
 - a connection to a telecommunications network for accessing a plurality of servers

storing applications and content

said data processors responsive to said users' requests determines if said applications or content are in the store of the data processor, and in the absense of said applications or content, said data processor retrieves said applications or content through the telecommunications network from said servers.

said data processors responsive to said users' requests servicing such requests from applications or content contained in the store of said processor

Prior Art:

Discovery protocols

Existing ASPs

Content Caches, such as Akamai

WAP - wireless application protocol. This architecture is an extension of existing web architecture to enable wireless participation. A gateway provides encoding/decoding to allow a device to communicate with a server in the web. This may be an underlying element of microASPs.

3. If the same advantage or problem has been identified by others (inside/outside IBM), how have those others solved it and does your solution differ and why is it better?

The population of mobile devices is currently dominated by voice only cell phones, and modem equipped laptops. These devices either have no application capability, or use cellular or wireline modems to communicate. The ASP model is just now emerging to service wireline connected endpoints, and has not addressed the unique problems of wireless. WAP protocols allow some function on equipped cell phones, but are not consistent with an ASP business model.

4. If the invention is implemented in a product or prototype, include technical details, purpose, disclosure details to others and the date of that implementation.
not at this time

*Critical Questions (Questions 1 - 7 must be answered)

Question 1: [REDACTED]

Question 2: [REDACTED]

Question 3: [REDACTED]

Question 4: [REDACTED]

Question 5: [REDACTED]

[REDACTED]

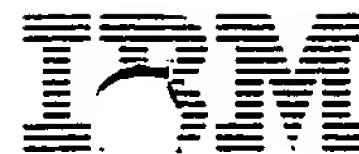
[REDACTED]

[REDACTED]

[REDACTED]

Patent Value Tool (Optional - this may be used by the inventor and attorney to assist with the eval
Post Disclosure Text & Drawings

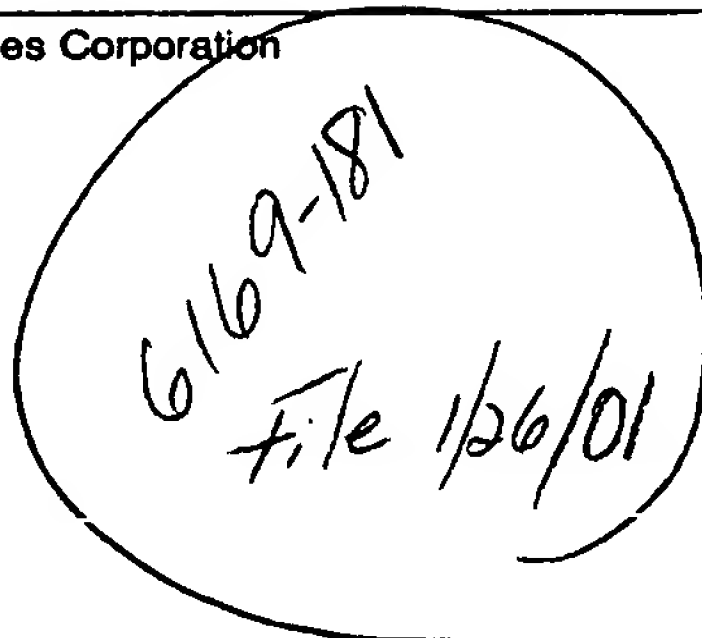
(Form Revised 12/17/97)



International Business Machines Corporation

P.O. Box 1328
Boca Raton, Florida 33429-1328
407/443-2200

July 26, 2000



10/26/00

12/26/00

1/26/01

Quarles & Brady
222 Lakeview Avenue
Fourth Floor
Post Office 3188
West Palm Beach, FL 33402-3188

REF: Invention Disclosure: BOC8-2000-0003
Title: MULTI TIER ASP/SOFTWARE DELIVERY FOR WIRELESS
DEVICES
IBM Docket: BOC9-2000-0040

Dear Steve,

Please prepare and file the above referenced cases with the U. S. Patent and Trademark Office. A copy of the invention disclosure is enclosed for your use in preparing the applications in accordance with IBM's format.

Sincerely,

Richard A. Tomlin

Richard A. Tomlin
Consulting Attorney

Enclosure

**FILE CC
DOCKET**

JUL 28 2000

COMPOSITE
EXHIBIT "A"

Steve Greenberg - Multi Tier ASP meeting

From: "Deidre Roberts" <deidrer@us.ibm.com>
To: "Edie Stern" <estern@us.ibm.com>, "Barry Willner" <willnerb@us.ibm.com>, <sgreenberg@akerman.com>
Date: 1/3/2001 12:35 PM
Subject: Multi Tier ASP meeting

I have reserved YKT 05-135 on Thursday, January 19th from 10 - 11 am for the Multi Tier ASP meeting. -Deidre

□ ^ □ . . . > <(((°> □ ^ □ . . . □ ^ □ . . . > <(((°> □ ^ □ . . . > <(((°>

Thank You, Deidre
Office of Colin Harrison, Director, Global Services Research
Internet: deidrer@us.ibm.com
Phone: 914-784-7797 (t/l 863)
FAX: 914-784-6032 (t/l 863)

Edie Stern
12/28/2000 11:20 AM

To: Deidre Roberts/Watson/IBM
cc: Barry Willner/Watson/IBM
From: Edie Stern/Fort Lauderdale/IBM@IBMUS
Subject: need a room in Yorktown

Deidre,

I have a meeting w/ lawyer on 1/19 at 10AM in Yorktown. Could you please book a room for the hour? It's on my calendar already without the room. Needs to be me, Barry and Steve Greenberg. Steve is at SGreenberg@Akerman.com 561-653-5208.

Thanks..Edie

Edith H. Stern
Manager, Business Integration Technologies, IBM Research
Member of the IBM Academy of Technology
Phone: 914 784-7275, TL 863-7275, Fax: 914 784-6032

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	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
19	01/23	16:43	IBM TJ WATSON RES.	UF--S	06'16"	028	184	OK

AKERMAN SENTERFITT

ATTORNEYS AT LAW

222 LAKEVIEW AVENUE, SUITE 400
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WEST PALM BEACH, FLORIDA 33402-3188
PHONE (561) 653-5000 • FAX (561) 653-5333
<http://www.akerman.com>

Equitrac User ID:

FAX: 914-784-6032

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NAME: Ms. Edith H. Stern	CLIENT/MATTER NO: 6169-181
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PHONE (561) 653-5000 • FAX (561) 653-5333
<http://www.akerman.com>

January 23, 2001

VIA FACSIMILE 914-784-6032

Ms. Edith H. Stern
IBM Corporation
T.J. Watson Research Center
Route 134
Kitchawan Road
Yorktown Heights, NY 10598

Re: **New Patent Application**
EXTENDING KIOSK SERVICE OFFERINGS IN A PERSONAL AREA NETWORK
IBM Docket: BOC9-2000-0040; Our Ref: 6169-181

Dear Edith:

Enclosed please find a draft of a patent application for the above-identified matter. Please review it carefully to ensure that the description of the invention accurately recites all of the invention's characteristics in the broadest possible manner, while also explaining, in detail, the preferred embodiment of the invention. The drawings should also be reviewed to confirm that they accurately depict the various details of the invention as you understand them. Finally, please read through the numbered claims at the end of the application. The claims will define the scope of protection any patent issuing from this application will provide. Accordingly, you should review them to ensure that they do not unduly restrict the scope of the invention by including any unnecessary detail. After you have reviewed the application with the other inventors, please call me with any comments you may have.

Please recall that patent applicants have a duty to disclose to the United States Patent Office all reasonably pertinent prior art of which they are aware. Failure to do so can jeopardize the validity of any patent issuing from an application. Accordingly, should you become aware of such references at any time during the pendency of this application, please let us know.

Very truly yours,

AKERMAN SENTERFITT



Steven M. Greenberg

SMG/kmw
Enclosures

P1006029;1

AKERMAN, SENTERFITT & EIDSON, P.A.

FORT LAUDERDALE • JACKSONVILLE • MIAMI • ORLANDO • TALLAHASSEE • TAMPA

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PHONE (561) 653-5000 • FAX (561) 653-5333
<http://www.akerman.com>

Equitrac User ID:

FAX: 914-784-6032

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NAME: Ms. Edith H. Stern	CLIENT/MATTER NO: 6169-181
PHONE:	TOTAL PAGES: 33
FIRM/COMPANY NAME: IBM Corp.	CITY, STATE:

SENDER'S NAME: Steven Greenberg

Comments from Sender:

Re: PROVIDING KIOSK SERVICE OFFERINGS IN A PERSONAL AREA NETWORK
IBM Docket: BOC9-2000-0040

Attached is the above referenced patent application together with the formal documents for signature. Once fully executed, please fax back to me at 561-653-5333. Thank you.

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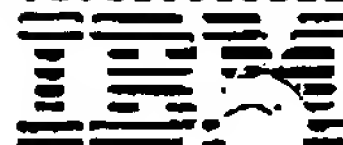
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International Business Machines Corporation

P.O. Box 1328
Boca Raton, Florida 33429-1328
407/443-2000

Steve
FYI

February 28, 2001

VIA FACSIMILE 561-653-5333

Akerman Senterfitt
222 Lakeview Avenue
Suite 400
West Palm Beach, FL 33401

REF: IBM Docket: BOC9-2000-0040
Title: MULTI TIER ASP/SOFTWARE DELIVERY FOR WIRELESS DEVICES
Your Ref: 6169-181

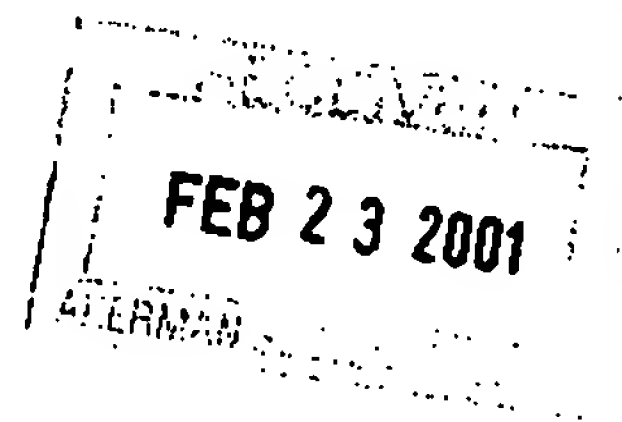
Dear Steve,

In response to your e-mail dated February 19, 2001, I support the decision to split the above-identified application into two filings. Please assign IBM Docket number BOC9-2001-0006 to the second application. Please let me know if you have any questions.

Sincerely,

Richard A. Tomlin

Richard A. Tomlin
Consulting Attorney
Intellectual Property Law



AKERMAN SENTERFITT

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
22	07/26 14:33	IBM TJ WATSON RES.	UF--S	06'02"	028	224	OK

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SENDER'S NAME: Steven Greenberg

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AKERMAN SENTERFITT

ATTORNEYS AT LAW

222 LAKEVIEW AVENUE, SUITE 400
WEST PALM BEACH, FLORIDA 33401
PHONE (561) 653-5000 • FAX (561) 653-5333
<http://www.akerman.com>

July 26, 2001

VIA FACSIMILE 914-784-6032
and 914-766-8161

Ms. Edith H. Stern
Mr. Barry E. Willner
IBM Corporation
T.J. Watson Research Center
Route 134
Kitchawan Road
Yorktown Heights, NY 10598

Re: New Patent Application
MULTITIER ASP SERVICES DELIVERY FOR WIRELESS DEVICES
IBM Docket: BOC9-2001-0006; Our Ref: 6169-241

Dear Eddie and Barry:

Enclosed please find a draft of a patent application for the above-identified matter. Please review it carefully to ensure that the description of the invention accurately recites all of the invention's characteristics in the broadest possible manner, while also explaining, in detail, the preferred embodiment of the invention. The drawings should also be reviewed to confirm that they accurately depict the various details of the invention as you understand them. Finally, please read through the numbered claims at the end of the application. The claims will define the scope of protection any patent issuing from this application will provide. Accordingly, you should review them to ensure that they do not unduly restrict the scope of the invention by including any unnecessary detail. After you have reviewed the application, please call me with any comments you may have.

Please recall that patent applicants have a duty to disclose to the United States Patent Office all reasonably pertinent prior art of which they are aware. Failure to do so can jeopardize the validity of any patent issuing from an application. Accordingly, should you become aware of such references at any time during the pendency of this application, please let us know.

Very truly yours,

AKERMAN SENTERFITT


Steven M. Greenberg

SMG/kmw
Enclosures

P1018117;1

AKERMAN, SENTERFITT & EIDSON, P.A.

FORT LAUDERDALE • JACKSONVILLE • MIAMI • ORLANDO • TALLAHASSEE • TAMPA

AKERMAN SENTERFITT

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
17	07/27	14:20	IBM TJ WATSON RES.	UF-S	06'43"	031	015	OK

AKERMAN SENTERFITT

ATTORNEYS AT LAW

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WEST PALM BEACH, FLORIDA 33401
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July 27, 2001

VIA FACSIMILE 914-784-6032

Ms. Edith H. Stern
Mr. Barry Willner
IBM Corporation
T.J. Watson Research Center
Route 134
Kitchawan Road
Yorktown Heights, NY 10598

Re: New Patent Application
MULTITIER ASP SERVICES DELIVERY FOR WIRELESS DEVICES
IBM Docket No. BOC9-2001-0006; Our Ref: 6188-241

Dear Edie:

Enclosed please find a final draft of the above-identified patent application together with the Declaration and Power of Attorney, Assignment and Oath and Assignment for Taiwan. If the application is acceptable, please sign and date the enclosed documents where indicated and instruct the other inventors to do the same. Please note that pursuant to IBM's request, all of the signatures must be contained on the same page(s). In addition, pursuant to IBM's request, we must receive the originally executed Oath and Assignment for Taiwan. Once the documents are fully executed, please fax the documents to me at 561-653-5333 along with mailing the originals to the address listed above.

Please feel free to contact me if you should have any questions or comments.

Very truly yours,

AKERMAN SENTERFITT



Steven M. Greenberg

SMG/kmw
Enclosures

P1C1B199;1

AKERMAN SENTERFITT

ATTORNEYS AT LAW

222 LAKEVIEW AVENUE, SUITE 400
WEST PALM BEACH, FLORIDA 33401
PHONE (561) 653-5000 • FAX (561) 653-5333
<http://www.akerman.com>

July 27, 2001

VIA FACSIMILE 914-784-6032

Ms. Edith H. Stern
Mr. Barry Willner
IBM Corporation
T.J. Watson Research Center
Route 134
Kitchawan Road
Yorktown Heights, NY 10598

Re: **New Patent Application**
MULTITIER ASP SERVICES DELIVERY FOR WIRELESS DEVICES
IBM Docket No. BOC9-2001-0006; Our Ref: 6169-241

Dear Edie:

Enclosed please find a final draft of the above-identified patent application together with the Declaration and Power of Attorney, Assignment and Oath and Assignment for Taiwan. If the application is acceptable, please sign and date the enclosed documents where indicated and instruct the other inventors to do the same. Please note that pursuant to IBM's request, all of the signatures must be contained on the same page(s). In addition, pursuant to IBM's request, we must receive the originally executed Oath and Assignment for Taiwan. Once the documents are fully executed, please fax the documents to me at 561-653-5333 along with mailing the originals to the address listed above.

Please feel free to contact me if you should have any questions or comments.

Very truly yours,

AKERMAN SENTERFITT



Steven M. Greenberg

SMG/kmw
Enclosures

P1018199;1

AKERMAN, SENTERFITT & EIDSON, P.A.

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OCT. 26 2000

Pg 2/24

✓ ~~6553-9~~ - ~~Plus of NOA/Reg Cost~~ ~~paid reg~~ ~~JS~~

✓ ~~607 552~~ - ~~Plus of NOA/Reg Cost~~ ~~Express Abandonment of PTA App filed is 10/26/00~~ ~~JS~~

✓ ~~6572-8~~ ~~10/26/00 Issue Fee Due Today~~ ~~filed Drawings 10/25/00~~ ~~RES~~

✓ ~~604-736~~ ~~paid~~ ~~UMP (11)~~ ~~MDP/SM~~

~~filed 08/07/00~~

✓ ~~6169-181~~ - ~~file patent by 1/26/01~~ ~~In Process R/O 1 month (Ru)~~ ~~SMG/GAN~~

✓ ~~627 596~~ ~~1/26/01 Foreign Filing Due~~ ~~JS~~

✓ ~~625 108~~ ~~1/26/01 Status of con ops~~ ~~recheck 3 mos to 1-26-01~~ ~~JS~~

✓ ~~6793-1~~ ~~10/26/00 Status of off record~~ ~~recheck 10-12-01~~ ~~JS~~

✓ ~~6812-73~~ - ~~patent due 4/26/01~~ ~~Do not renew per client's instructions per 10/26/00~~ ~~6326-60~~ ~~for due 11/26/00~~ ~~Capitol~~ ~~Benjamin to pay~~

✓ ~~6316-627~~ - ~~Status of Receipt~~ ~~filed~~ ~~MDP/CC3~~

✓ ~~6181-1~~ ~~10/26/00 Status of Receipt of Letters Patent~~ ~~(rec'd 10/10/00) + filed (10/10/00)~~ ~~RES~~

✓ ~~6053-35~~ ~~10/26/00 Status of Receipt of Letters Patent~~ ~~(rec'd 10/08/00)~~ ~~RES/MDP/JS~~

✓ ~~6100-59~~ ~~10/26/00 Status of Receipt of Letters Patent~~ ~~JSB/MDP/SM~~

✓ ~~604 905~~ ~~10/26/00~~ ~~COMPOSITE EXHIBIT "B"~~ ~~10/10/00~~ ~~Patent~~ ~~10/26/00~~ ~~JSB/MDP/SM~~

Nov. 26, 2000

Pg. 2 of 3

✓ ~~10674-11~~ Status?

GAN/TJS

~~no longer our client~~

✓ ~~1074-42~~ Status of Corrected Notice

SRS/MOP/SAH

~~received 10/10/00~~

~~12/24/00 Issue Fee Due Today~~

✓ ~~6900-4~~ Drawings

JWB/MOP/SAH

~~Issue fee paid 11/14/00 - drawings filed 11/10/00~~

✓ ~~6900-6~~ Answer due today at 4:00 PM

JRS

~~per 11/10/00 F.A. 21. Client has abandoned~~

~~cut card~~

~~6900-5~~
~~6900-6~~

✓ ~~200-25~~ Must file Appn by deadline today

SRS/MOP/SAH

~~filed 11/15/00~~

✓ ~~10169-181~~ File Patent Appn. by 01/24/01

SNG/GAN

~~In process~~

✓ ~~10440-20~~ Rec'd Appn. back from client? Status?

~~SAH~~

~~enacted 2000-01-01~~

✓ ~~10328-24~~ Rec'd NOP?

SRS

~~recheck to 11/28/00 to see if~~
~~Rec'd when time away~~

✓ ~~1025-98~~ Rec'd NOP?

SRS

~~"same"~~

✓ ~~5115-11~~ Status of Detailed Reply to 9/10/00

~~RJS~~

~~R/O 12/1/00 per R/S~~

✓ ~~2000-19~~ 11/26/00 Office Action Due Today

SRS/MOP/SAH

~~was filed 11/02/00 per SAH~~

✓ ~~10321-177(0-0)~~ 11/26/00 Notice Missing Parts Due

GAN/TJS

~~filed 11/20/00~~

✓ ~~200-24~~ 11/26/00 Declaration/Refund Due 12/26/00

JTS/MOP/SAH

~~R/O 12/12/00~~

✓ ~~5785-23~~ 11/26/00 Declaration/Refund Due 12/26/00

~~RJS~~

~~WAPPEN; NO Refund~~

✓ ~~5842-9~~ Renewal due 03/26/01

~~RJS~~

~~no longer correct~~

Dec 26, 2000

Pg 1 of 2

~~6619-1~~ 7 1/2 yr fee due 4/26/01 ~~CS~~
~~Att to give instr's + return by 3/26/01 (Ph)~~

~~6619-31~~ 8 + 15 Dec 12/28/01 ~~JS~~
~~1st LT sent 12-11-00~~

~~6674-11~~ ~~1/26/01 Foreign Filing Due~~ ~~CAU/SOR~~
~~Present - out~~

~~6619-181~~ file patt by 1/26/01 Gorkunb
R/O Jan. 8

~~207-526~~ ~~1/26/01 Foreign Filing Due~~ ~~JS~~
~~DO FF~~

~~6612-137A~~ Rec'd Abstract of Registration? ~~RSS/SLA~~
~~Rec'd 10/12/00~~

~~6612-137B~~ Rec'd Abstract of Registration? ~~RSS/SLA~~
~~Rec'd 10/12/00~~

~~207-284~~ Status of Recordal ~~JS~~
~~285~~
~~286~~ ~~is sent 12-11-00 for all~~

~~6346-8B~~ Status of NON/Reg. Cert. ~~RJS~~
~~R/O 3/21/01 (see 12/21)~~

~~6900-4~~ ~~12/26/00 Issue Fee Due Today~~ ~~JWA/MP/SLA~~
~~Drawings~~
~~paid 11/11/00~~

~~207-593~~ Resp. to IM Office Action due 03/20/01 ~~JS~~
~~Exs and 11/11/00 verify 1/17/01~~

~~6619-185~~ File Patent Appn. by 03/26/01 ~~gaw/smg~~
~~To be prepared in March~~

~~6619-186~~ File Patent Appn. by 03/26/01 ~~gaw/smg~~
~~To be prepared in March~~

~~6619-187~~ File Patent Appn. by 03/26/01 ~~gaw/su~~
~~To be prepared in March~~

January 8, 2001

Pg. 3 of 3

✓ ~~789-33~~ ~~Rec'd Suspension from PTO?~~ ~~SRS~~
~~yes, rec'd 12-15-00 - verify L.D. et~~

~~204-742~~ ~~01/08/01 Declaration/Refund Due 02/08/01~~ ~~SRS/MDP~~

~~UC'd signed doc - admitting NIMP~~

✓ ~~6969-1~~ ~~Follow-up w/ David Eldridge re status~~ ~~MDP~~
~~of license Agreement~~

~~Pto to Ollivier per NIMP~~

✓ ~~6969-181~~ ~~File Patent by 01/26/01~~ ~~GAN/sng~~
~~In Process~~

✓ ~~5460~~ ~~12-2~~ ~~File off due 3/25/01~~ ~~GAN/CC3~~
~~answered~~

✓ ~~6445-62~~ ~~off due 2/2/01~~ ~~OB/CC3~~

~~Letter to Ct 12/30/00; done w/ GWS~~

✓ ~~6346-8C~~ ~~Annuitiy due 06/08/01~~ ~~KSS~~
~~Next annuity due~~

✓ ~~6463-3~~ ~~son/rot due 02/01/01~~ ~~RJS~~
~~doc's to Ct 1-4 of for signature R/O 1/25/01~~

✓ ~~7851-49~~ ~~Status of Reg. to Transfer Drawings~~ ~~SRS/MDP~~

~~Left msg. w/ examiner - R/O 2 weeks~~ ~~MDP~~

✓ ~~6889-8~~ ~~Declaration/Refund due 02/01/01~~ ~~SRS/MDP~~

~~left reminder~~

✓ ~~7007-1~~ ~~C&D Rtr Status~~ ~~KSS~~
~~waiting to hear from Ct R/O 1/10/01~~

JANUARY 26, 2001

- ~~6674 11~~ ~~1/26/01 Foreign Filing Due~~ ~~Today~~ ~~CAV/SAR~~
~~not ours~~
- ~~400 2~~ ~~3 1/2 yr fee due 2/26/01~~ ~~JRS~~
~~subconced~~
- ~~6572 16 (POT)~~ ~~Reminder 2/1 mo. Nat'l Place~~ ~~RS~~
~~Rem 1/12 1/25 (P)~~
- ~~207 141~~ ~~Status of Combined Decl~~ ~~JRS~~
~~Acceptance Rec'd 01/10/01~~
- ~~6812 15~~ ~~Maent fee due 7/26/01~~ ~~RS/PCO~~
~~not reminder~~ ~~4/21/01~~
- ~~305 736~~ ~~RM/PCO Status~~ ~~MRP/SAR~~
~~filed 08/09/00~~
- ~~6669-181-~~ ~~fell pat't today~~ ~~CAV/SAR~~
~~Awaiting Inventor Review~~ ~~P/O 1 month~~
- ~~6546~~ ~~122C - status of exam~~ ~~not~~ ~~RS~~
~~Notice of Allowance (P)~~
- ~~207 604~~ ~~Status of Japan~~ ~~filed 7/26/00~~
~~decision rec'd 9-6-00~~ ~~RS~~
- ~~207 596~~ ~~1/26/01 Foreign Filing Due~~ ~~no~~
~~no FF~~
- ~~207-596~~ ~~1/26/01 Status~~ ~~no~~
~~off 8 31 00 redirect to 1/26/01 as rec'd on 1/26/01~~
- ~~3921 8L~~ ~~Instruct F.A. by 02/26/01 re: Reg. for Exam~~ ~~SWB/S~~
~~Set to speak to JRS 1/10 2/16/01~~
- ~~6900 4~~ ~~01/26/01 Issue Status~~ ~~SWB/MOP/SAR~~
- ~~625 100~~ ~~Status of Combined exam~~ ~~JRS~~
~~rec'd 11/15/00~~
- ~~2000-19~~ ~~(3) Office Action (12)~~ ~~JRS/MOP/SAR~~
~~in a 1'0 and situation~~ ~~no~~ ~~in a 1'0 situation~~

February 16, 2001

Pg. 2 of 24

✓ ~~1347-3~~ 11 1/2 yr fee due ~~03/26/01~~ ~~JRS~~
~~RMAR L13 sent 28 Oct 2-26-01~~

✓ ~~0109-138~~ Status/Rec'd OA/NOA? ~~no~~ ~~GRW/sag~~
~~OK/Assign Rec'd. - R/O 2 months~~

✓ ~~0109-118~~ Status/Rec'd OA/NOA? ~~no~~ ~~GRW/sag~~
~~OK/Assign Rec'd. - R/O 2 months~~

✓ ~~0109-169~~ ~~02/24/01 Declaration/Refund Due Today~~ ~~GRW/sag~~
~~Waiting on NMPP~~

✓ ~~0109-169~~ ~~02/26/01 IDS/Checklist Due 03/26/01~~ ~~GRW/sag~~
~~In process~~

✓ ~~0109-141~~ ~~02/26/01 IDS/Checklist Due 03/26/01~~ ~~GRW/sag~~
~~In process~~

✓ ~~0785-44~~ Resp. to PCT Written Opinion due Today ~~RJS/WR~~
~~filed 1/29/01~~

✓ ~~0610-68~~ ~~02/26/01 Office Action Due 03/26/01~~ ~~JRS/mop~~
~~reminder to sent to client~~

✓ ~~0812-202~~ Rec'd Not. of Express Ab. Fr. Whittle? ~~RJS/MI~~
~~yes.~~

✓ ~~0109-181~~ Status of Rep 3 filing Patent Appn ~~GRW/sag~~
~~Waiting, Inventor Review - R/O 1 month~~

✓ ~~6528-1~~ ~~EP Amend Claims In 2 Weeks 26 Feb 2001 Reminder RJS~~
~~should have been 02/29/01 - advised client to wait~~

✓ ~~0030-5~~ Status of Change of Name ~~RJS/JI~~
~~filed w/SG in Registry R/O 6 months Rec'd Recordal Name Change~~

✓ ~~0030-27~~ Status of Change of Name ~~RJS/JI~~

✓ ~~0030-28~~ Status of Change of Name ~~RJS/JI~~

✓ ~~0030-29~~ Status of Change of Name ~~RJS/JI~~

March 26, 2001

Pg. 2 of 3

~~✓ 2000-19 (5) Office Action (+4) SLS/MAN/SAH~~
~~resp filed 11/08/00 on docket 05/08/01~~
~~✓ 16193-1 Resp. to TM O.A. due 04/26/01 JRS~~
~~responeded 11-15-00, suspended 11-21-00, old SLS~~

~~✓ 5842-9 Renewal due today RJS~~

~~no longer our client~~
~~✓ 1849-3 11/23/00 due today abandoned JRS~~

~~✓ 16169-169 03/26/01 IDS/Checklist Due Today done JRS/SMG~~
~~was filed 3-13-01~~

~~✓ 16169-141 03/26/01 IDS/Checklist Due Today JRS/SMG~~
~~No IDS needed~~

~~✓ 9150-3-7 Resp. to TM O.A. due 06/26/01 JRS/EC3~~
~~✓ 9~~
~~✓ 5~~
~~lth 3/16/01~~

~~✓ 5134-18 Resp. to TM O.A. by 06/26/01 SWB/CC3~~
~~cost to save 7/1/01 4/26/01~~

~~✓ 1610-68 03/26/01 Office Action Due today JRS/MDP~~
~~Reminder to sent to client~~

~~✓ 6169-145 IDS/Checklist Due In 1 Month 26 Mar 2001 Due Date CAN/SMG~~
~~No IDS needed~~

~~✓ 6321-174 US Suppl IDS Due In 1 Month 26 Mar 2001 Reminder CAN/TJF~~
~~OK~~

~~✓ 6321-174 PCT Amendments Due Today 26 Mar 2001 Final CAN/TJF~~

~~✓ 6169-181 Status of Prep? filing Patent Appln JRS/8~~
~~filed 03/09/01~~

~~✓ 5231-32/5231-34 Hand from comm. re: re: lth of 2/24/01~~
~~yes 3/16/01 on new two on docket 11/2/00~~

April 1, 2001

✓ ~~4135-1 con Rec'd map?~~ ~~JRS/MDP~~

~~No - still in initial examining office - 1 month~~

✓ ~~207 331 Rec'd Notice of Acceptance of 8/15 Dec.~~ ~~JRS~~

~~Rec'd Acknowledgement 3/5/01~~

✓ ~~6169 197 Status of Rep? Filing Patent~~ ~~GAN/SMG~~
~~in process~~ ~~2/0 1 month~~

✓ ~~5537 16 Status of Appln.~~ ~~JRS~~

~~Wells Name Status of Appln. - Redocket~~ ~~04/13/01~~

✓ ~~6086 1 Rec'd Morrison Instructions re: IDS?~~ ~~JRS~~

~~Called client - Client reviewing? w/ 1/13~~ ~~JRS~~

✓ ~~6924 1 Resp Due To NMP In 1 Month~~ ~~01-Apr-2001~~ ~~Reminder~~ ~~JRS~~

~~Corrected drawings in process~~ ~~01/15/01~~

✓ ~~6873-2 Resp Due To NMP In 1 Month~~ ~~01-Apr-2001~~ ~~Reminder~~ ~~JRS/SMG~~

~~In process~~

✓ ~~6169-241 File Application In 1 Mo.~~ ~~01-Apr-2001~~ ~~Reminder~~ ~~GAN/SMG~~

~~In process~~

✓ ~~6321 106 Resp. to PCT Opinion By Today~~ ~~GAN/SMG~~

✓ ~~6076 7 File Utility/Foreign Filing By 4/12/01~~ ~~JRS~~

✓ ~~6169 106 Reminders to Client & phone call;~~

~~Still deciding re: PF Redocket for 4/10/01~~

✓ ~~6076-2 Foreign Filing Due 04/13/01~~ ~~JRS/SMG~~

✓ ~~6145 0 Resp to Audit Letter by 04/13/01~~ ~~JRS~~

~~Audit in process (per e-mail from JRS - 4/13/01)~~

✓ ~~936 28/32 Status of \$2000 OK due today~~ ~~JRS~~

~~Rec'd \$1000 fr. Cel - R/O 1/8 balance~~

✓ ~~6321 183 PCT Amendments Due 4/10/01~~ ~~GAN/SMG~~

✓ ~~6346-105 Rec'd Debit Note?~~ ~~JRS~~
~~NO - R/O still in~~

May 1, 2001

Pg. 4 of 4

✓ ~~6303-10~~ Status/Petition for PCT case } Instr. to Nat'l Assoc. - JMK
~~on hold per client - R/O 05/12/01~~

✓ ~~6169-89~~ Resp To Final OA Due In 1 Mo. 01-May-2001 Reminder GAN/SMG

~~ok - Instructed comments rec'd~~

✓ ~~6934-1~~ Resp Due To NMP Today 01-May-2001 Due Date - RJS TUB

~~response filed~~

✓ ~~6873-2~~ Resp Due To NMP Today 01-May-2001 Due Date JRS/SMG

~~Resp filed 4/30/01~~

✓ ~~6169-241~~ File Application By Today 01-May-2001 Final GAN/SMG

~~In Process R/O 1 month~~

✓ ~~6484-1ca~~ Annuity Due in 1 Month ~~due~~ 01-May-2001 Reminder RJS

~~-1ca~~

~~due 4/30/01~~

✓ ~~6169-175~~ IDS/Checklist Due In 1 Month 01-May-2001 Due Date GAN/SMG

~~No IDS Needed~~

✓ ~~6169-176~~ IDS (checklist due in 1 mo) ~~ok.~~ GAN/SMG

~~No IDS Needed~~

✓ ~~6169-232~~ IDS/Checklist Due In 1 Month 01-May-2001 Due Date GAN/SMG

~~In Process R/O 2 weeks (5/1/01)~~

✓ ~~6169-174~~ IDS/Checklist Due In 1 Month ~~due~~ 01-May-2001 Due Date GAN/SMG

~~No IDS Needed~~

✓ ~~6053-196~~ File Provisional by ~~06/01/01~~ - Bar date SAK/DH
~~Status~~

~~Opinion Mailed 3/14/01 for process~~

✓ ~~6053-192~~ File Provisional by ~~06/01/01~~ - Bar date SAK/DH
~~In Process~~

✓ ~~6012-139~~ Renewal Due in 3 Months RJS/MDF

✓ ~~60321-(0864)~~ File Appen by ~~06/01/01~~ GAN/TOR
~~(-200) in process~~

June 1, 2001

~~✓ 6/9/00 2 cont Resp. to Foreign OA today JRSL/BAK~~
~~3000 } 11/10/00 F.A. 5/13/01~~ ↑ ↑

~~✓ 921-8d \$334.35 credit from 10/23/00 Applied yet? JWB~~
~~(Seems?) letter to associate to 101, pk. redacted 1 month~~

~~✓ 6/6/99 208 File Appln. by today GAN/ONG~~
~~R/O 1 month~~

~~✓ 6/6/99 85 Checklist Due JRS/SAK~~
~~Waiting on O/R R/O 2 weeks~~

~~✓ 6/6/99 36 Rec'd L.P. w/ corrected drawings? GAN/ONG~~
~~Spoke w/ Eranine 6/8/01 - R/O 2 weeks~~

~~✓ 6/6/99 244 File Appln today R/O 1 month GAN/ONG~~

~~✓ 6/9/95 10 Status of Prep & Filing Appln. JWB~~
~~not filed yet, redocket - 1 month~~

~~✓ 6/6/01 1 Status of Suspension GAN/CC3~~
~~Card to see why R/O 1 month~~

~~✓ 6/6/99 199 Status of Prep & Filing Appln GAN/ONG~~
~~OK in process - R/O 1 month~~

~~✓ Status of CBBS - gentle Ltr to CBBS - Dr. Myers JWB~~
~~transferring to litigation docket - you can take off~~

~~✓ Status of EP/DOE Letters JWB~~
~~letter sent - can take off docket~~

~~✓ 5970-17-1 Heard from Client N. filing amendment GAN/TJ~~
~~Go to CA 10 R/O 1 month~~

~~✓ 6086-1 Status of FDS (R/O from 8/16/01) JWB~~
~~301 R/O 1 month redacted 1 month~~

~~✓ 60321 134 Rec'd Ref's from Inventor GAN/TJ~~
~~not yet R/O 1 month~~

Actions Due

Tuesday, June 21, 2005

Page: 1

ocket Number: 06169-0241

SubCase: 0

Country: US United States of America

Case Type: PRI

Status : Published

Filing Date: 06-Aug-2001

Action Type: File Application By Due Date

Base Date: 01-May-2000

Application #: 09/923506

Response sent date:

Action(s) Due	Due Date	Indicator	Taken
File Application By Today	01-Jun-2001	Final	01-Jun-2001
File Application By Today	01-Jul-2001	Final	01-Jul-2001
File Application By Today	01-Aug-2001	Due Date	01-Aug-2001
File Application By Today	01-Sep-2001	Due Date	06-Aug-2001

Remarks:

06/01/01: R/o 1 month

08/01/01: Waiting on signed documents

User ID: AAllison

Date Created: 06-Mar-2001

Last Update: 02-Aug-2001

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